

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
MARCH 20, 2007**

The regular session of the Auburn City Planning Commission was called to order on March 20, 2007 at 6:14 p.m. by Chairman Merz in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Kosla, Smith, Worthington, Chrm.
Merz

COMMISSIONERS ABSENT: Thompson

STAFF PRESENT: Will Wong, Community Development Director;
Reg Murray, Senior Planner; Sue Fraizer,
Administrative Assistant

ITEM I: CALL TO ORDER

ITEM II: APPROVAL OF MINUTES

None.

ITEM III: PUBLIC COMMENT

None.

ITEM IV: PUBLIC HEARING ITEMS

A. Variance – 130 Diamond Street (Cables) – File VA 06-3.

The applicant requests approval of a Variance application to allow a proposed second story addition to an existing detached rear yard accessory building located five (5) feet from the rear property line at 130 Diamond Street. The proposed addition requires the following variances:

- A. The proposed addition will result in a 23 foot height for the accessory building, exceeding the single-story, fifteen (15) foot height limit requirement.
- B. The proposed addition will have a stairway with a five (5) foot setback from the side property line in lieu of the 7.5 foot requirement.
- C. The proposed addition will occupy more than 30% of the rear yard area of the property.
- D. The proposed addition will be located seven feet from the existing residence in lieu of the 10 foot minimum separation distance required.

Director Wong gave the staff report. The applicant began construction without the benefit of a building permit, and received a Stop Work order.

The applicant was advised to secure letters of support from adjacent neighbors and he has been unable to do so. Two letters from adjacent neighbors expressing their opposition to the project were received by staff. Staff does not support this variance due to the inability to make the findings necessary to approve it, and recommends denial of this application.

The applicant, Guy Cables, 130 Diamond St., Auburn introduced himself. When he purchased the property it was a fixer-upper, and he has been working to improve it. His intent was to add an office space above the garage. He did not realize he needed permits to do so. Once he came in to the Building Department with plans, it has taken months to get the plans approved.

Comm. Worthington asked the applicant if he had researched any building requirements prior to beginning his project.

Mr. Cables replied that he did not, however the person he hired said that everything was fine.

Pat Ensley, 155 Diamond, Auburn stated that Mr. Cables' building is an eyesore. Mr. Ensley said he has pulled several permits for projects of his own, and all his dealings with the City have been positive.

Chris Myers, 148 Diamond, Auburn said that although Mr. Cables says he resides at the property, he has never seen him there. He also is concerned about the appearance of the property.

Margie Chenowith, 135 Diamond, Auburn said when they added on to their home they had to abide by the city requirements. She is against Mr. Cables' project.

Lois Riggins, 136 Diamond, Auburn shares a driveway with 130 Diamond, and she has nothing but problems. Her son-in-law, Mark Rathswohl, 12035 Norman Way, Auburn stated the shared parking and driveway causes continuous problems. They are opposed to the project.

Devon Jewell, 135 Walker Drive, Auburn stated he lives directly behind the proposed project. It is very ominous in his back yard.

Chrm. Merz asked staff for a response to Mr. Cables' comments about the length of time it has taken to bring this application before the Commission.

Lisa Hoffrogge, Building Official stated that a Stop Work order was issued on September 8, 2005. There was no attempt by the applicant to contact the Building Department. Several attempts were made to send certified letters which were all returned. In June of 2006 the document was hand-delivered to Mr. Cables. Shortly thereafter, Mr. Cables submitted an application for the variance. Upon review, Planner Geiger made requests for more information which were not immediately responded to.

Mr. Cables returned to the podium and stated that he did not realize the letters were being sent to him. He's done a lot of work to the space already, thinking it was the best use of the space. He had no idea that the neighbors would object to his project.

The public hearing was closed.

Comm. Kosla stated that his main concern is the height issue. That along with the other variances needed are cause for him to agree with staff.

Comm. Smith stated that he also agrees with staff.

Comm. Worthington agreed that with so many neighbors opposed to the project, she could not support it.

Comm. Worthington **MOVED** to:

Adopt Resolution No. 07-5 to deny a variance application to allow a proposed second story addition to an existing detached rear yard accessory building located five (5) feet from the rear property line at 130 Diamond Street (File # VA 06-3), requesting variances from items A-D as presented in the staff report.

Comm. Smith **SECONDED**.

AYES:	Kosla, Smith, Worthington, Chrm. Merz
NOES:	None
ABSTAIN:	None
ABSENT:	Thompson

The motion was approved.

Chrm. Merz advised the applicant that he has 10 days to appeal this decision to City Council.

ITEM V: COMMISSION BUSINESS

- A. Tentative Parcel Map and Tree Permit – 230 Live Oak Street (Walker Parcel Map) – Files LS 06-2; TP 06-5.** The applicant requests approval of a Tentative Parcel Map to subdivide an approximate .85 acre parcel located at 230 Live Oak Street into three (3) parcels approximately 8,046 square feet, 12,876 square feet, and 14, 490 square feet in size. The request also includes a Tree Permit to address impacts to protected trees. *BASED ON THE PLANNING COMMISSION'S DENIAL OF THE PROJECT AT THE MARCH 6, 2007 MEETING, STAFF HAS PREPARED A RESOLUTION FOR DENIAL FOR THE COMMISSION TO ADOPT.*

Comm. Worthington **MOVED** to:

Adopt Resolution No. 07-3 to deny the Walker Lot Split (File LS 06-2) and the Tree Permit (File TP 06-5) based on the following findings:

1. The design or improvement of the proposed subdivision is not consistent with the objectives, policies, general land uses, and programs specified in the Auburn General Plan.
2. The site is not physically suitable for the proposed development due to the inadequacy of the neighborhood's infrastructure including the narrowness of street widths, lack of street parking, limited access, and lack of curb, gutter, and sidewalk.
3. The site is not physically suitable for the proposed density of development due to the inadequacy of the neighborhood's infrastructure including the narrowness of street widths, lack of street parking, limited access, and lack of curb, gutter, and sidewalk.

Comm. Smith **SECONDED.**

AYES: Smith, Worthington, Chrm. Merz

NOES: Kosla

ABSTAIN: None

ABSENT: Thompson

The motion was approved.

- B. Auburn Land Use Plans and Implementation with SACOG
Blueprint comparison. *This item was continued from the
Planning Commission hearing on March 6, 2007.*

Director Wong reported that the Auburn City Council directed the Community Development Department to provide a comparison of city land-use plans and implementation of the land use goals on an annual basis. The report is based on SACOG's *Blueprint* project. A copy of the report has been provided to the Commissioners for review.

The Commissioners and staff discussed the report which will be forwarded to City Council for review.

ITEM VI: COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

- A. City Council Meetings
Several Commission items will be before City Council at the March 26, 2007 meeting.
- B. Future Planning Commission Meetings
There will be a meeting on April 3, 2007.
- C. Reports
None.

ITEM VII: PLANNING COMMISSION REPORTS

None.

ITEM VIII: FUTURE PLANNING COMMISSION AGENDA ITEMS

None.

ITEM IX: ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Susan Fraizer, Administrative Assistant